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Attorneys for Defendant
APPLE INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE APPLE iPOD iTUNES ANTI-TRUST LITIGATION

Case No. C 05 00037 JW

DECLARATION OF CHARLES LANCASTER IN SUPPORT OF APPLE'S OPPOSITION TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS "RELATING TO CLASS CERTIFICATION"

Date: January 16, 2008
Time: 9:30 a.m.
Courtroom: 4, 5th Floor
Judge: Magistrate Judge Richard Seeborg

Dockets.Justia.com

I, Charles Lancaster, hereby declare as follows:

1. I have been employed with Apple Inc. (Apple) since May 1998. I presently hold the position of Senior Director, Worldwide Financial Planning & Analysis. I submit this declaration in support of Apple's Opposition to Plaintiffs' Motion to Compel Production of "Documents Relating to Class Certification." I make the statements in this declaration based upon my personal knowledge and corporate records maintained by Apple in the ordinary course of business. If called upon to do so, I could and would testify thereto under oath.

2. In its ordinary course of business, Apple analyzes the financial performance of the iPod on a worldwide rather than a regional basis. I estimate that it will require two to three days to obtain summary numbers showing revenue and standard costs for iPods sold in the United States since its introduction in 2001. To obtain "all documents necessary to allow the calculation [of these numbers] for each quarter since the introduction of the iPod" it would likely take about one week.

I declare under penalty of perjury under the laws of the United States and California that the foregoing is true and correct. Executed this 20th day of December, 2007.

By: ______________________
Charles Lancaster

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